



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31911-2025(O&M)

Date of decision: 17.06.2025

Radhay Shyam

... Petitioner

Versus

State of Haryana

... Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Anmol Jindal, Advocate,
for the petitioner.
Ms. Aditi Girdhar, AAG, Haryana.

PANKAJ JAIN, J. (ORAL)

Status report by way of an affidavit of Assistant Commissioner of Police, Cyber Crime, Gurugram, has been filed on behalf of the respondent, which is taken on record. Copy thereof has been supplied to the learned counsel for the petitioner.

2. The petitioner seeks pre-arrest bail in FIR No.217, dated 29.10.2024, registered under Section 318(4) BNS and Section 661 IT Act, at Police Station Cyber Manesar, Gurugram. As per the allegations levelled in the FIR, it has been alleged as under:

“I, Ravinder Kumar S/o Shri Mehtab Singh, is resident of, Permanent Address Village -Bakhtawar Pura, Tehsil Siwani Mandi, Police Station Siwani Mandi, District Bhiwani, Present Address Amalgamations Valeo Clutch Pvt. Ltd. Sec-78, Gurugram. On date 18.04.2004 I got a WhatsApp call from Mobile No.9038444083, They told that they are in business of Online Trading and Investment. Whatever amount you will invest, that will become double. I became greedy and at their instance I was associated with WhatsApp group named as Super King Team. After that on 03.05.2024 they have joined me with Millpencil Stock Trading App. After that at their instance I have talked with them at their Toll Free No. 1 (202) 294.5046 through



WhatsApp and as told by them transferred the amount as per Bank account numbers provided by them, as following:-

Date	Account No.	IFSC Code	Name of Bank	Amount
03.05.2024	259980039636	INDB 0001969	Indsuiand Bank	25000
03.05.2024	259980039636	INDB 0001969	Indsuiand Bank	25000
06.05.2024	4751021 00000356	PUNB 0047510	PNB	10000
06.05.2024	4751021 00000356	PUNB 0047510	PNB	141000

After that on date 15.05.2024 I have withdrawn 40073 from Millpencil Stock App, after that on date 16.05.2024 I have deposited ₹50000 in Account No.90205500201 IFSC Code ICIC0000902. After that on date 14.05.2024 in Account No.108805004228 deposit two IFSC Code ICIC0001088 times ₹25000-₹25000. That at Millpencil app I have checked my score, then my score has become ₹4588628.58 and when I attempted to withdraw the amount then my amount could not be withdrawn. They asked to pay 15% Tax. Then on date 02.07.2024 as provided by them account, once I have deposited ₹200000 and second time ₹443144.28 in Kotak Mahindra Bank Account No.8949177142. After that, when I attempted to withdraw amount from Millipunal App, then my amount could not be withdrawn and they demanded to deposit more amount. Then I came to know all these are forgery. They have committed cheating of me and defrauded amount of ₹854103.28. The legal action be initiated against them.”

3. The allegations point out towards Cyber-crime. Cyber-crimes primarily and usually are faceless crimes. The investigations cannot be belayed at the nascent stage merely for the reason that the petitioner’s name does not figure in the FIR. It has come on record that the account misused for commission of offence is involved in six different Cyber-crimes throughout India and has been reported on the MHA portal. Specific role of



the petitioner has unearthed during investigation. The same has been culled out in status report as under:

“9. That as far as the role of the petitioner is concerned, it is submitted that the petitioner is the principal conspirator and facilitator of the bank account fraud scheme. He instructed the co-accused Vikas to open a current bank account in the name of "RADHE RADHE DAIRY FARMER" at Punjab National Bank, Amarheri branch, Jind, under the pretext of providing him with good money to meet his financial needs. The petitioner obtained complete control over the fraudulent account by securing the ATM kit, passbook and all associated documents and information from co-accused Vikas for a consideration of Rs.5,000/-, thereafter he had utilized the said account for conducting large-value fraudulent transactions which ultimately led to the account being blocked by the bank.”

4. In view thereof, this Court finds that considering the gravity of allegations as well as the seminal connection attributed to the petitioner, and in view of the ratio of law laid down by the Supreme Court in the cases of Gurbaksh Singh Sibbia v. State of Punjab, 1980(2) SCC 565, and Sushila Aggarwal and others v. State (NCT of Delhi) and another, 2020(5) SCC, 1, the extraordinary discretionary relief of pre-arrest bail cannot be extended to the petitioner. Finding no merit in the present petition, the same is ordered to be dismissed.

5. Ordered accordingly.

(Pankaj Jain)
Judge

17.06.2025

Rajan

Whether speaking / reasoned:
Whether Reportable:

YES/NO
YES/NO